

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

STATE FARM GUARANTY	:	Civil Action
INSURANCE COMPANY	:	
	:	
and	:	Case No. 2:22-CV-04852-JKS-CLW
	:	
STATE FARM INDEMNITY	:	
COMPANY	:	
	:	
v.	:	
	:	
TRI-COUNTY CHIROPRACTIC AND	:	
REHABILITATION CENTER P.C., ET AL	:	
	:	

JOINT STIPULATION AND ORDER

The parties hereto file this Proposed Joint Stipulation for Court approval and agree as follows:

1. As the result of a recent Third Circuit opinion, Defendants intend to seek leave of Court to renew their Rule 12(b) motion to dismiss the remaining Count in Plaintiffs' Complaint in favor of mandatory New Jersey no-fault arbitration. *See* D.E. No. 71.
2. Plaintiffs intend to oppose the anticipated motion by Defendants. *See* D.E. No. 72.
3. The current Scheduling Order deadlines are fact end on 6/30/24, expert disclosures deadlines on 8/1/24 and 9/1/24 and expert depositions deadline on 11/1/24. *See* D.E. No. 69.
4. The parties agree if the Court permits the filing and then grants the anticipated Rule 12(b) motion, that proceeding with and completing discovery in the meantime under the present circumstances could pose a significant unnecessary expense to the parties and a potentially unnecessary waste of the Court's time and resources dealing with discovery issues.

5. The parties jointly agree a stay of the current deadlines pending the resolution of Defendants' anticipated motion for leave and motion to dismiss is warranted and will cause no prejudice to either side.

6. Accordingly, the parties agree within thirty (30) days of the filing date of this Stipulation Defendants will file their anticipated motion for leave and accompanying motion to dismiss and Plaintiffs will timely respond.

7. The parties respectfully request the Court approve this Joint Stipulation and order the current Scheduling Order deadlines stayed pending a resolution of the Defendants' anticipated motions.

Respectfully submitted,

By: *Charles J. Lanzaletti*

Charles J. Lanzaletti, Esq.
6000 Sagamore Drive, Suite 6103
Marlton, NJ 08053-3900
(856) 673-3471 telephone
(856) 751-5281 facsimile
lanzalotti@bbs-law.com
Attorney for Plaintiffs

Dated: 5/21/2024

By: /s/ Jeffrey Randolph

Jeffrey Randolph, Esq.
139 Harristown Road, Suite 205
Glen Rock, NJ 07452
(201) 444-1645 telephone
(201) 444-1787 facsimile
jrandolph@jrlaw.net
Attorney for Defendants

Dated:
5/16/2024

The Court having carefully considered the parties' agreement herein and related submissions, and for the reasons discussed during the 7/11/24 telephone conference, and for good cause shown, Defendants have leave to file their proposed motion to dismiss. Defendants shall file that motion on or before **August 9, 2024**. Plaintiffs shall respond in the ordinary course. All deadlines in this matter shall be stayed pending resolution of Defendants' forthcoming motion to dismiss.

SO ORDERED.

s/ Cathy L. Waldor
Hon. Cathy L. Waldor, U.S.M.J.

Date: July 11, 2024